

TESTIMONY BY SARA J. NELSON IN SUPPORT OF HOUSE BILLS 4468 AND 4469 BEFORE THE HOUSE
TRANSPORTATION COMMITTEE ON THURSDAY, 25 OCTOBER 2007

Good morning, Chairman Hopgood and Representatives of the House Transportation Committee. Thank you for holding this hearing regarding House Bills 4468 & 4469. I have waited for this day, and I thank you for the honor and privilege of conveying my heartfelt support for these bills.

My name is Sara Nelson, and my support for these bills is unique. I don't represent a company or an organization. I am first and foremost a friend, and I am a work zone safety advocate because my friend Christy Gutekunst was killed in a work zone. I speak today from my own personal tragedy and on behalf of the Gutekunst family. This is why I'm here: to remind you of the real people behind the statistics, to share what happened to Christy, and to perhaps prevent other families from experiencing the same injustice.

Christy's life ended at the age of 25 on April 8th, 2004. She was killed on her way to work by a driver who failed to slow for the approaching work zone on I-94 near Chelsea, Michigan. With his cruise control set at 68 mph, this driver rear-ended Christy's car killing her instantly. The driver, whose careless actions and inattentive driving killed Christy, was charged with Negligent Homicide and faced a maximum sentence of two years in jail. He was sentenced to only six months while we serve a life sentence without Christy. If his actions would have injured or killed a *construction worker* in that same zone, he would have faced the increased penalties stipulated under Andy's Law (2001 Public Act 103, and 2004 Public Act 315): up to 15 years in prison and a \$7,500 fine.

Work zone workers deserve this protection; their lives are in jeopardy each time they step onto the road. However, we must also remember the other victims of work zone crashes. Statistics show that over 85% of fatalities that occur in these zones nationally are motorists. Assaultants involved in the 5,216 crashes, 1,450 injuries, and 18 fatalities in Michigan's 2006 construction zones, did not face any increased penalties unless speeding, intoxicated, or caused injury or death to a construction zone worker.

Since 2005 I have asked members of the Michigan legislature to include protection for *anyone* who is injured or killed in work zones due to another's reckless driving. Representative Byrnes sponsored legislation in December 2005, and she and Representative Barb Byrum reintroduced the legislation as current House Bills 4468 and 4469. As you know, these bills will extend penalties for all accidents caused by a moving violation in a construction zone which results in injury or death to **any** person.

Christy's family and I believe that everyone in a work zone deserves protection under the law from those whose actions victimize them and their families. Workers and motorists both deserve protection in these zones, and the people who choose to drive recklessly and negligently, putting theirs' and others' lives at risk, deserve equal punishment. We strongly believe HB 4468 and 4469 accomplish this objective. The passing of these bills would be the justice that has eluded us. They won't bring Christy back or others who have been killed, but they will provide greater awareness, equal protection, and the ability to prosecute those who violate these laws.

I urge you, Representative Hopgood and Representatives of the House Transportation Committee, to support and propel this legislation forward on behalf of the victims of past and future work zone crashes and for the safety of all citizens of this great State of Michigan.